

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed

Rule making related to inspection of meat and exotic animals

The Agriculture and Land Stewardship Department hereby amends Chapter 76, “Meat and Poultry Inspection,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 189A.13.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 189A.

Purpose and Summary

This rule making implements two changes to federal regulations so that the Department’s Meat and Poultry Bureau can maintain its “at least equal to” status with federal requirements.

Specifically, this rule making updates two regulations by reference and implements the following changes:

1. Defines “yak” and includes yaks among exotic animals that are eligible for voluntary inspection, and revises the definitions of “antelope,” “bison,” “buffalo,” “catalo,” “deer,” “elk,” “reindeer,” and “water buffalo” to make them more scientifically accurate.
2. Eliminates the requirement to defibrinate livestock blood that is used as an edible product.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 7, 2022, as **ARC 6499C**. No public comments were received. A change from the Notice has been made to remove outdated references in rule 21—76.2(189A).

Adoption of Rule Making

This rule making was adopted by the Department on December 7, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 21—Chapter 8.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s

meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on February 15, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend rule 21—76.2(189A) as follows:

21—76.2(189A) Federal Wholesome Meat Act regulations adopted. Part 303, Part 304, Part 305, Part 306, Parts ~~308 309~~ through 315, Parts 317 through 320, Part 329, Part 332, Part 412, Part 416, Part 417, Part 418, Part 424, Part 430, Part 431, Part 441 and Part 442 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of December 31, ~~2020~~ 2021, are hereby adopted in their entirety by reference. Part 307 except Sections 307.5 and 307.6 and Part 325 except ~~Sections Section~~ Section 325.3 and 325.12 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of July 30, 2018, are hereby adopted in their entirety by reference. Part 500 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of January 1, 2016, is adopted by reference, except that references in Sections 500.5, 500.6, 500.7, and 500.8 to the federal Uniform Rules of Practice are not adopted.

This rule is intended to implement Iowa Code sections 189A.3 and 189A.7(8).

ITEM 2. Amend rule 21—76.13(189A) as follows:

21—76.13(189A) Voluntary inspections of exotic animals. Every person wishing to obtain voluntary inspection of exotic animals shall comply with the regulations adopted in this rule.

Part 352 of Title 9, Chapter III, of the Code of Federal Regulations, revised as of ~~January 1, 2016~~ December 31, 2021, is hereby adopted in its entirety by reference.

This rule is intended to implement Iowa Code chapter 189A.

[Filed 12/14/22, effective 2/15/23]

[Published 1/11/23]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/11/23.